

IPW

Attorney Docket No. 5823.03

Customer No. 37833

Confirmation No. 2889

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE *PATENT* APPLICATION OF:

APPLICANT : **BRYAN L. JOHNSON**

APPL. NO. : **10/790,743**

ART UNIT : **3643**

FILED : **MARCH 3, 2004**

EXAMINER : **ROWAN, K. C.**

FOR : **FISHING ROD STRIKE SENSOR**

MAIL STOP *AMENDMENT*
COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

RESPONSE TO ELECTION REQUIREMENT

Sir:

In the Office action mailed March 30, 2005, the Examiner required an election of species under 35 U.S.C. § 121 prior to continuing with the prosecution of the present application. The separate species of the claimed invention as identified by the Examiner are those of Figs. 1-4, Figs. 5- 6, Fig. 7, Fig. 8, Fig. 9 and Fig. 10.

In compliance with the Examiner's requirement, Applicant provisionally elects with traverse for further prosecution the embodiment shown in Figures 1-4. Claims 1, 4-7, 9-11 and 15 are considered to be readable on the elected species.

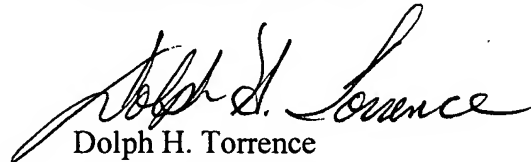
Application No. : 10/790,743
Art Unit : 3643

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Notwithstanding the propriety of the election requirement for examination purposes, Applicant contends that he should be entitled to a consideration of a reasonable number of related embodiments falling within the scope of a generically claimed invention. Moreover, it would appear that a search and examination of the entire application can be accomplished without a serious burden on the Examiner since the multiple embodiments identified of record would seemingly encompass a common field of search. As evidence that an examination of the entire application does not pose a undue burden on the Office, Applicant notes that the previous Examiner acted on the merits of all the presently claimed embodiments.

Accordingly, it is respectfully requested that the Examiner withdraw the election requirement, and continue with the prosecution of this case. Alternatively, should the Examiner maintain the requirement and make it final, Applicant awaits a complete action on the merits of the elected subject matter.

Respectfully submitted,



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DHT:RCL